

COMPARISON OF 2006 REGULATIONS AND 2007 REGULATORY CHANGES

to

PART 482 – CONDITIONS OF PARTICIPATION FOR HOSPITALS

482.13 Condition of Participation: Patient's Rights Standards (a) – (d)

EFFECTIVE January 8, 2007

TAG	2006 Regulation	Regulation Effective January 8, 2007
A-0038	§ 482.13 Condition of participation: Patient's rights. A hospital must protect and promote each patient's rights.	
A-0039	§482.13 (a) Standard: Notice of Rights	(a) Standard: Notice of rights.
A-0040	(1) A hospital must inform each patient, or when appropriate, the patient's representative (as allowed under State law), of the patient's rights, in advance of furnishing or discontinuing patient care whenever possible.	(1) A hospital must inform each patient, or when appropriate, the patient's representative (as allowed under State law), of the patient's rights, in advance of furnishing or discontinuing patient care whenever possible.
A-0041	(2) The hospital must establish a process for prompt resolution of patient grievances and must inform each patient whom to contact to file a grievance.	(2) The hospital must establish a process for prompt resolution of patient grievances and must inform each patient whom to contact to file a grievance.
A-0042	(2) continued The hospital's governing body must approve and be responsible for the effective operation of the grievance process, and must review and resolve grievances, unless it delegates the responsibility in writing to a grievance committee.	The hospital's governing body must approve and be responsible for the effective operation of the grievance process and must review and resolve grievances, unless it delegates the responsibility in writing to a grievance committee.
A-0043	(a)(2) continued The grievance process must include a mechanism for timely referral of patient concerns regarding quality of care or premature discharge to the appropriate Utilization and Quality Control, Quality Improvement Organization. At a minimum:	The grievance process must include a mechanism for timely referral of patient concerns regarding quality of care or premature discharge to the appropriate Utilization and Quality Control Quality Improvement Organization. At a minimum:
A-0044	(a)(2) (i) The hospital must establish a clearly explained procedure for the submission	(i) The hospital must establish a clearly explained procedure for the submission

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	of a patient's written or verbal grievance to the hospital.	of a patient's written or verbal grievance to the hospital.
A-0045	(a)(2) (ii) The grievance process must specify time frames for review of the grievance and the provision of a response.	(ii) The grievance process must specify time frames for review of the grievance and the provision of a response.
A-0046	(a)(2) (iii) In its resolution of the grievance, the hospital must provide the patient with written notice of its decision that contains the name of the hospital contact person, the steps taken on behalf of the patient to investigate the grievance, the results of the grievance process, and the date of completion.	(iii) In its resolution of the grievance, the hospital must provide the patient with written notice of its decision that contains the name of the hospital contact person, the steps taken on behalf of the patient to investigate the grievance, the results of the grievance process, and the date of completion.
A-0047	§482.13 (b) Standard: Exercise of Rights	(b) Standard: Exercise of rights.
A-0048	(1) The patient has the right to participate in the development and implementation of his or her plan of care.	(1) The patient has the right to participate in the development and implementation of his or her plan of care.
A-0049	(2) The patient or his or her representative (as allowed under State law) has the right to make informed decisions regarding his or her care.	(2) The patient or his or her representative (as allowed under State law) has the right to make informed decisions regarding his or her care.
A-0050	(2) continued The patient's rights include being informed of his or her health status,	The patient's rights include being informed of his or her health status,
A-0051	(2) continued being involved in care planning and treatment,	being involved in care planning and treatment,
A-0052	(2) continued and being able to request or refuse treatment. This right must not be construed as a mechanism to demand the provision of treatment or services deemed medically unnecessary or inappropriate.	and being able to request or refuse treatment. This right must not be construed as a mechanism to demand the provision of treatment or services deemed medically unnecessary or inappropriate.
A-0053	(b) (3) The patient has the right to formulate advance directives and to have hospital staff and practitioners who provide care in the hospital comply with these directives, in accordance with §489.100 of this part	(3) The patient has the right to formulate advance directives and to have hospital staff and practitioners who provide care in the hospital comply with these directives, in accordance with § 489.100 of this part

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	(Definition), §489.102 of this part (Requirements for providers), and §489.104 of this part (Effective dates).	(Definition), § 489.102 of this part (Requirements for providers), and § 489.104 of this part (Effective dates).
A-0054	(b) (4) The patient has the right to have a family member or representative of his or her choice and his or her own physician notified promptly of his or her admission to the hospital.	(4) The patient has the right to have a family member or representative of his or her choice and his or her own physician notified promptly of his or her admission to the hospital.
A-0055	§482.13 (c) Standard: Privacy and Safety	(c) Standard: Privacy and safety
A-0056	(c) (1) The patient has the right to personal privacy.	(1) The patient has the right to personal privacy.
A-0057	(c) (2) The patient has the right to receive care in a safe setting.	(2) The patient has the right to receive care in a safe setting.
A-0058	(c) (3) The patient has the right to be free from all forms of abuse or harassment.	(3) The patient has the right to be free from all forms of abuse or harassment
A-0059	§482.13 (d) Standard: Confidentiality of Patient Records	(d) Standard: Confidentiality of patient records.
A-0060	(d) (1) The patient has the right to the confidentiality of his or her clinical records.	(1) The patient has the right to the confidentiality of his or her clinical records.
A-0061	(d) (2) The patient has the right to access information contained in his or her clinical records within a reasonable time frame. The hospital must not frustrate the legitimate efforts of individuals to gain access to their own medical records and must actively seek to meet these requests as quickly as its record keeping system permits.	(2) The patient has the right to access information contained in his or her clinical records within a reasonable time frame. The hospital must not frustrate the legitimate efforts of individuals to gain access to their own medical records and must actively seek to meet these requests as quickly as its record keeping system permits.
	The February 6, 2006 revisions begin with Standard (e). In order to focus on the changes in wording the tags of the current regulations may be entered out of order	

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